

**REMARKS**

In the present Amendment, claim 1 has been amended to incorporate the recitations of claim 4, and to delete -O- and -NH- from the Markush group for X and to delete a hydrogen atom from the Markush group for R<sup>3</sup>. Claim 4 has been cancelled. In a manner similar to claim 1, claims 5, 7, 8, and 15 have been amended to delete -O- and -NH- from the Markush group for X<sup>1</sup> and to delete a hydrogen atom from the Markush group for R<sup>3</sup>. Claims 9 and 14 have been cancelled. No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, claims 1-3, 5-8, 10-13 and 15 will be pending.

In Paragraph No. 7 of the Action, claims 1-5, 7-10 and 13-15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hauck et al (U.S. 6,309,792 B).

Applicant submits that this rejection should be withdrawn because Hauck et al does not disclose or render obvious the lithographic printing plate precursor of the present invention.

The Examiner has relied upon Comparative Example 2 of Hauck et al. In this regard, it is noted that N-phenylglycine (C<sub>6</sub>H<sub>5</sub>-NH-CH<sub>2</sub>COOH), which is used in Comparative Example 2 of Hauck et al, is outside the scope of the present claims as amended.

Reconsideration and withdrawal of the rejection are respectfully requested.

In Paragraph No. 8 of the Action, claims 1-5 and 7-15 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Munnely et al (WO 03/041962 A1).

Applicant submits that this rejection should be withdrawn because Munnelly et al WO '962 does not disclose or render obvious the lithographic printing plate precursor of the present invention.

To the extent the Examiner relies on Example 5 of Munnelly et al and its teaching of N-phenylglycine, see page 3, last full paragraph of the Action, it is believed that Munnelly et al is distinguished for at least the same reasons as Hauck et al.

To the extent the Examiner relies on Example 7 of Munnelly et al and its teaching of (2-methoxyphenoxy)acetic acid ( $\text{CH}_3\text{O}-\text{C}_6\text{H}_4-\text{OCH}_2\text{COOH}$ ), see page 3, second full paragraph of the Action, it is believed that the amendment to the present claims deleting -O- from the Markush groups for X and X<sup>1</sup>, respectively, distinguishes Munnelly et al.

Reconsideration and withdrawal of the rejection are respectfully requested.

In Paragraph No. 9 of the Action, claim 6 is objected to as being dependent upon a rejected base claim. The Examiner states that claim 6 would be allowable if rewritten in independent form.

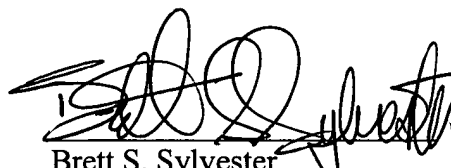
In view of the amendments to claim 1, from which claim 6 depends, it is believed that claim 6 is allowable in its present form.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111  
U.S. Appln. No.: 10/781,862

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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**23373**

CUSTOMER NUMBER

Date: July 18, 2006